

14. The foam sponge cutting apparatus of claim 10, further comprising means (50) for limiting the first and second blade strips from deflecting out of a predetermined angular range.
15. The foam sponge cutting apparatus of claim 11, wherein the first working section of the first blade strip can be moved to the first side when the second blade strip is used to cut the foam sponge piece in the second cutting direction.
16. The foam sponge cutting apparatus of claim 12, wherein the second working section of the second blade strip can be moved to the first side when the first blade strip is used to cut the foam sponge piece in the first cutting direction.
17. The foam sponge cutting apparatus of claim 10, wherein the first closed winding loop defines a first plane and the second closed winding loop defines a second plane substantially parallel to the first plane, and wherein the first working section is moved in the first moving direction substantially within the first plane and the second working section is moved in the second moving direction substantially within the second plane.

REMARKS

In the patent application, claims 1-9 are pending. In the Office Action, all pending claims are rejected.

At section 2, the drawings are objected to because of the informalities. Applicant has amended the specification to correct for the informalities as suggested by the Examiner.

At section 3, the drawings are objected to under 37 CFR 1.83(a). The Examiner states that the cutting apparatus with both vertical and horizontal cutting devices as set forth in claim 1 must be shown or features canceled from the claim.

Applicant has added Figure 9 to show both the vertical and horizontal cutting devices. The support can be found in the specification and the drawings. On page 6, second paragraph of the specification, it is stated that the foam sponge cutting apparatus, as described in conjunction with Figures 1-5, can have a vertical cutting device 17 to be installed on the blade strip frame 20, in addition to the horizontal cutting device 16. The vertical cutting device 17 is similar to the horizontal cutting device 16 but for cutting in a different direction. The vertical cutting device 17 is depicted in Figures 6 and 8. Furthermore, on page 7, lines 6-8, it is stated that since both the vertical and horizontal cutting devices 16, 17 use the same working surface 11 and they are installed on the same blade strip frame 20 when the horizontal cutting device 16 is used for cutting the sponge piece in the horizontal direction, the blade strip of the vertical cutting device 17 should be moved to the side of the blade strip frame for safety reasons. That is why only one blade strip 90 is shown in Figure 7 when the cutting apparatus is used in one state (see Brief description of the drawings regarding Figure 7). Similarly, when the cutting apparatus is used in another state, the horizontal blade strip 90 is moved to the side. Thus, in Figure 8, only the vertical blade strip is shown. Of course, the cutting apparatus, as disclosed and as claimed, can be used to cut a foam sponge piece both in the vertical and horizontal directions at the same time if so desired.

No new matter has been introduced by way of amendment.

At section 5, claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner points out the lack of structural cooperation among various components of the claimed apparatus.

Applicant has canceled claim 1-9 and substitute claims 10-17 therefor.

At section 7, claims 1, 5, 3 and 6 -9 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Gwosdz* (U.S. Patent No. 5,460,068). The Examiner states that *Gwosdz* discloses a cutting apparatus having a horizontal cutting device and a vertical cutting device as

claimed. The Examiner admits that *Gwosdz* fails to disclose a blade turning unit movement control mechanism but taking Official notice that it is old and well known in the art to provide such control mechanisms for changing the position of the blade.

It is respectfully submitted that, as claimed in claim 10, the first blade has a single working section for cutting the sponge piece in the first direction and the second blade has a single working section for cutting the sponge piece in the second direction. The first blade turning unit movement control mechanism is used to control the position of the first working section and the second blade turning unit movement control mechanism is used to control the position of the second working section. *Gwosdz* does not disclose or even suggest a vertical blade and the horizontal blade each having a single working section for cutting in the respective direction and a device to control the position of the working section. In fact, *Gwosdz* discloses an ice-block cutting machine, wherein each blade cuts the ice block twice at each position of the ice block. In contrast, each of the blades in the present invention cuts the foam sponge piece only once at each position of the sponge piece – with the single working section. In *Gwosdz*, the entire blade must be moved to different position for changing the cutting position. In contrast, in the invention as claimed, the blade turning unit movement control mechanisms control the position of the respective working sections by moving the working sections. Thus, it is not possible to combine the teaching of *Gwosdz* with any blade turning device to achieve the cutting device as claimed.

Furthermore, as claimed in claims 11 and 12, the first and second blade strips each form a closed loop with a fixed length defining a plane and the first and second working sections are moved substantially within the respective planes. *Gwosdz* does not disclose or suggest such features.

At section 9, claims 1-9 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 6,125,733 in view of *Gwosdz*. A terminal disclaimer in compliance with 37 CFR 1.321(c), signed by applicant's attorney, is filed herewith to overcome the rejection.

CONCLUSION

Claims 1-9 have been canceled. New claims 10-17 have been added. No new matter has been introduced by the amendments. As claimed in claims 10-17, the invention is clearly distinguishable over the recited *Gwosdz* reference. Early allowance of claims 10-17 is earnestly solicited.

Respectfully submitted,

Date: 7/21/2001

Kenneth Q. Lao
Kenneth Q. Lao
Attorney for the Applicant
Registration No. 40,061

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955